

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Donald K. Jones, et al.

Serial No. : 10/738,477

ArtUnit: 3763

Filed : December 17, 2003

Examiner: N. D. Lucchesi

For : Activatable Bioactive Implantable
Medical Device and Method Of Use

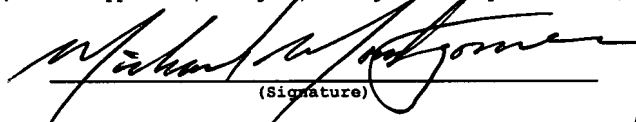
I hereby certify that this correspondence is being deposited with the
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April 25, 2007

(Date of Deposit)

Michael W. Montgomery

(Name of applicant, assignee, or Registered Representative)



(Signature)

April 25, 2007

(Date of Signature)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure
Statement mailed on May 25, 2006.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37
C.F.R. §§1.97-1.98, information relating to the above-
identified application is hereby disclosed. Inclusion of
information in this statement is not to be construed as an
admission that this information is material as that term is
defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the
patentability of the claimed invention over any of the
information provided herewith, and/or to prove that this

information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☒ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a) (2).

☒ There are no listed references which are not in the English language.

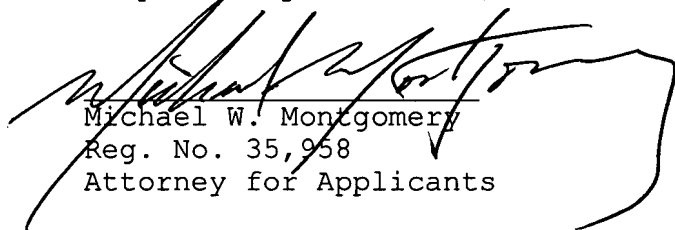
☐ The relevance of those listed references which are not in the English language is as follows:

☒ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/CRD5046USNP0/MWM. This form is submitted in triplicate.

Respectfully submitted,


Michael W. Montgomery
Reg. No. 35,958
Attorney for Applicants

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(786) 313-2922
DATED: April 25, 2007

Application Number	10/738,477
Filing Date	December 17, 2003
First Named Inventor	Donald K. Jones, et al.
Group Art Unit	3763
Examiner Name	N. D. Lucchesi
Attorney Docket Number	CRD5046USNP0

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Examiner Signature		Date Considered	
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1450, Alexandria, VA 22313-1450

<p>SUBMISSION UNDER MPEP 609 D</p> <p>Page 1 of 1</p>	Application Number	10/738,477
	Filing Date	June 15, 2004
	First Named Inventor	Donald K. Jones, et al.
	Group Art Unit	3763
	Examiner Name	N. D. Lucchesi
	Attorney Docket Number	CRD5046USNP0

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

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Examiner Signature		Date Considered	
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